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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,635	09/30/2003	Jae-Goo Choi	1235-6 (SP2003US)	6064
28249	7590	11/06/2006	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			ALAM, FAYYAZ	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 11/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/675,635

Applicant(s)

CHOI ET AL.

Examiner

Fayyaz Alam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 - 8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/26/2004.
- 4) ☒ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The information disclosure statement submitted on 11/26/2004 been considered by the Examiner and made of record in the application file.

### ***Claim Objections***

3. Claim 4 is objected to because of the following informalities: On line 4 replace first "a" with "to". The change is necessary for clarity and syntax. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1 - 3, and 7** are rejected under 35 U.S.C. 102(b) as being anticipated by **Bick (UK Application # GB 2,367,530)**.

Consider **claim 1**, Bick discloses a keypad assembly for mobile handset (read as portable radiotelephone) comprising (see figure 3):

A flexible substrate (31) (read as printed circuit board) having a plurality of metal domes (32);

A silicone rubber (17) (read as keypad rubber) placed on the flexible substrate (31) (read as printed circuit board) have raised surface with numerals aligned with the positions corresponding to the metal domes (32) (see figure 3, element 18; figure 4; pg. 4, lines 9 - 10);

A sensing means (19) disposed on the silicone rubber (17) (read as keypad rubber; see figure 3); and

A keymat (17) (read as key button part) disposed on the sensing means, whereby a touch screen function is selectively activated from the keypad interface (see figure 2) when user slides their finger over surface of the keymat (17) (read as key button part) (read as a touch screen function using the sensing means or a key button function electrically contacting the metal domes is selectively used according to the mode of the radiotelephone; see pgs. 4 - 5, lines 30 - 33 and 1 - 5).

Consider **claim 2** as applied to claim 1, Bick discloses sensing means is a capacitive sensor (see pg. 3, lines 26 - 28).

Consider **claim 3** as applied to claim 1, Bick discloses keymat (17) (read as key button part) is attached to optical adhesive layer (27) (read as film sheet) which is attached to the upper surface of the sensing means (19), the optical adhesive layer (27)

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(read as film sheet) by way of keymat (17) that has numbers printed on it (see figure 3; figure 4; pgs. 4 - 5, lines 31 - 33 and 1 - 3).

Consider **claim 7**, Bick discloses a device and thereby a method for using a switch to actuate a first type of user input and second type of user input (see pg. 1, lines 21 - 25). The first type of user input is keypad input and second type of input is a touch panel input through capacitive sensing (see figure 2) comprising the steps of:

Determining whether or not user slides their finger over the surface (read as input mode shift key) of the keymat (17) (see pg. 5, lines 4 - 5);

The above stated sliding action (read as input mode shift key) shifts the mobile device from keypad input mode to touch screen mode (see pg. 5, lines 3 - 16; pg. 4, lines 18 - 19); and

The keypad (7) can operate in the keypad mode either independently or simultaneously as a touch sensitive pointing device (read as cutting off a driving power supplied to the keypad, and supplying the driving power to the touch screen panel; see pg. 4, lines 18 - 19).

**Claim 4** is rejected under 35 U.S.C. 102(b) as being anticipated by **Claxton (U.S. Patent # 6,448,919)**.

Consider **claim 4**, Claxton discloses mobile communication device comprising an input unit having a keypad (118) and a touch panel (310);

A microprocessor (308) (read as control unit) for generating control signal to operate the input unit as the touch panel (310) or as keypad (118) according to a mode

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set by a user by closing or opening the flip cover (see column 3, lines 2 - 10; column 4, lines 8 - 12).

A power supply unit (figure 1 shows 3.3 volts) that supplies power through switching circuit to keypad (118) or touch panel (310) (see column 6, lines 58 - 67; column 7, lines 1 - 7; column 8, lines 15 - 23) which can selectively switch on or off either the keypad or the touch panel.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Claims 5 - 6** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Bick (UK Patent Application # GB 2,367,530)** as applied to claims above in view of **Honda (U.S. Application # 2003/0185444)**.

Consider **claim 5** as applied to claim 4, Bick fails to disclose a character recognition unit for converting a coordinate value into a character code when the input unit functions as the touch screen panel, the coordinate value being produced from the input unit by a user's contacting an upper surface of the touch screen panel.

In the related field of endeavor, Honda discloses a handwritten character recognition part (see [0025]) to receive input from a touch panel (see [0007]) and convert it to character code (see [0008]) from stored coordinate values (see [0015]).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Bick with the teachings of Honda in order to save time and money by using well-established technology.

Consider **claim 6** as applied to claim 5, Bick fails to disclose a display unit for displaying a character corresponding to the character code from the character recognition unit.

In the related field of endeavor, Honda discloses a display part (read as display unit) to display a character (see [0019 - 0025]).

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Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Bick with the teachings of Honda in order to save time and money by using a well-established technology.

**Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Bick (UK Patent Application # GB 2,367,530)** as applied to claims above, and further in view of **Claxton (U.S. Patent # 6,448,919)**.

Consider **claim 8** as applied to claim 7, Bick discloses determining whether or not user slides their finger over the surface (read as input mode shift key) of the keymat (17) (see pg. 5, lines 4 - 5).

Bick fails to disclose shifting the input-mode from a touch screen input mode to a keypad input mode if the input mode shift key is inputted; and cutting off the driving power supplied to the touch screen panel, and supplying the driving power to the keypad.

In the related field of endeavor, Claxton discloses switching circuit which would allow power control and selective switching from touch panel mode to keypad mode while cutting off the power to one or the other (see column 6, lines 58 - 67; column 7, lines 1 - 7; column 8, lines 15 - 23)

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Bick with the teachings of Claxton in order to limit power consumption and prolong battery life.



***Conclusion***

8. Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Hand-delivered responses** should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Fayyaz Alam whose telephone number is (571) 270-1101. The Examiner can normally be reached on Monday-Friday from 7:30am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Rafael Perez-Gutierrez can be reached on (571) 272-7915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Fayyaz Alam



July 25, 2006

EDAN ORGAD  
PATENT EXAMINER/TELECOMM.



1/30/06